

BEFORE THE DEPARTMENT OF LIVESTOCK  
OF THE STATE OF MONTANA

In the matter of the proposed	)	NOTICE OF PROPOSED
amendment of ARM 32.2.403,	)	AMENDMENT
pertaining to diagnostic laboratory	)	
fees	)	NO PUBLIC HEARING
	)	CONTEMPLATED

TO: All Concerned Persons

1. On July 1, 2006, the Department of Livestock proposes to amend the above-stated rule pertaining to Department of Livestock diagnostic lab fees.

2. The Department of Livestock will make reasonable accommodations for persons with disabilities who wish to participate in the rulemaking process and need an alternative accessible format of this notice. If you require an accommodation, contact the Department of Livestock no later than 5:00 p.m. on June 22, 2006, to advise us of the nature of the accommodation that you need. Please contact Marc Bridges, 301 N. Roberts St., Room 308, P.O. Box 202001, Helena, MT 59620-2001; phone: (406) 444-7323; TTD number: 1-800-253-4091; fax: (406) 444-1929; e-mail: mbridges@mt.gov.

3. The rule as proposed to be amended provides as follows, stricken matter interlined, new matter underlined:

32.2.403 DIAGNOSTIC LABORATORY FEES (1) remains the same.

ABORTION STUDIES (kits):	
Includes histopathology and bacteriology (use SV43 form)	<del>\$30.00</del> <u>35.00</u>
BACTERIOLOGY (use SV43 form):	
aerobic culture (first isolate)	<del>\$41.50</del> <u>13.00</u>
aerobic culture (additional isolates)	4.00 each
anaerobic culture (facultative)	14.00
antibiotic sensitivity per isolate	7.00
Campylobacter (livestock reproductive disease)	<del>40.00</del> <u>10.50</u>
Campylobacter (intestinal contents)	<del>40.00</del> <u>10.50</u>
Chlamydia ELISA	<del>46.00</del> <u>17.00</u>
Clostridium FA	<del>40.00</del> <u>10.50</u>
Clostridium genotyping referral	cost of referral
dermatophyte culture and PAS stain	<del>22.00</del> <u>23.00</u>
direct darkfield microscopy	7.00
E. coli K99 latex agglutination	<del>40.00</del> <u>11.00</u>

Mycoplasma culture	12.00
non-dermatophyte fungal culture	<del>18.50</del> <u>19.00</u>
special requests	contact lab
Trichomonas culture	5.00
CLINICAL PATHOLOGY (clinical profiles):	
small animal health screen (SA Chem Panel, CBC/Differential, UA)	<del>\$35.00</del> <u>37.00</u>
small animal clinical profile (SA Chem Panel, CBC/Differential)	<del>26.00</del> <u>27.50</u>
SA Pre-Anesthetic Profile (BUN, CRE, ALT, ALP, Glu, TP, CBC/Differential)	<del>49.00</del> <u>20.00</u>
Feline ADR Profile (SA Chem Panel, T4, CBC/Differential, FeLV, FIV, FIA)	<del>50.00</del> <u>55.00</u>
large animal health screen (LA Chem Panel, CBC/Differential, Fibrinogen, UA)	<del>35.00</del> <u>37.00</u>
large animal clinical profile (LA Chem Panel, CBC/Differential, Fibrinogen)	<del>26.00</del> <u>27.50</u>
LA Pre-Anesthetic Profile (BUN, GGT, AST, CK, CBC/Differential, Fibrinogen)	<del>49.00</del> <u>21.00</u>
Equine Fitness Profile (AST, GGT, Tbili, CK, TP, ALB, Glob, Ca, PO4, Na, K, Cl, TCO2, CBC/Differential, Fibrinogen)	<del>22.00</del> <u>23.00</u>
CLINICAL PATHOLOGY (mini profiles):	
small animal Hepatic profile (ALT, AST, ALP, GGT, Tbili, Dbili, TP, ALB, Glob, Chol, BUN, GLu)	<del>\$12.50</del> <u>13.75</u>
small animal Renal Profile (BUN, CRE, TP, ALB, Glob, Ca, PO4, Na, K, Cl, TCO2)	<del>42.50</del> <u>13.75</u>
Exocrine Pancreatic Profile (BUN, Ca, TP, ALB, Glu, ALP, ALT, AST, Chol, Amylase, LIPASE)	<del>44.00</del> <u>13.75</u>
canine Endocrine Profile (Ca, PO4, TP, ALB, ALP, ALT, AST, Chol, T4, Na, K, Cl, Glu)	<del>47.00</del> <u>17.50</u>
large animal Hepatic Profile (GGT, AST, Tbili, TP, ALB)	<del>9.00</del> <u>10.00</u>
large animal Renal Profile (BUN, CRE, TP, ALB, Ca, PO4, Na, K, Cl)	<del>40.00</del> <u>11.00</u>
SA/LA Gastrointestinal Profile (TP, ALB, Na, K, Cl)	<del>8.00</del> <u>9.00</u>
feline Thyroid Profile (ALP, ALT, AST, PO4, T4)	<del>40.00</del> <u>11.00</u>
Electrolytes (Na, K, Cl, TCO2)	7.00
cT4	7.00
T3	7.00
TSH	7.00
free T4	7.00
cTSH	7.00

cortisol <u>canine thyroid panel (CTT4, CTSH, PT4, TT3)</u> <u>thyroid panel (equine/feline)</u> <u>Sorbitol Dehydrogenase</u> <u>bile acids</u> <u>TLI</u> <u>Phenobarbitol</u>	<del>12.00</del> <u>13.00</u> each test <u>22.00</u> <u>17.00</u> contact lab contact lab contact lab contact lab
CLINICAL PATHOLOGY (biochemical panels):  small animal Chem Panel large animal Chem Panel <del>T4 add-on</del> individual biochemical tests	  <del>\$20.00</del> <u>21.00</u> <del>20.00</del> <u>21.00</u> <del>7.00</del> contact laboratory
CLINICAL PATHOLOGY (Cytology):  solid tissue (FNA, imprint, or smear) bone marrow analysis fluid analysis (total cell count, TP, SG, Cytology) fluid smear (cytology only) CSF analysis (SG, Microprotein, Cytospin cytology)	  <del>\$24.00</del> <u>26.00</u> <del>26.00</del> <u>30.00</u> 26.00 22.00 18.00 plus microprotien referral
CLINICAL PATHOLOGY (Hematology):  small animal CBC (RBC, HCT, MCV, MCH, MCHC, Reticulocytes, WBC/Differential, TP, RWD, MPV, Fibrinogen) small animal CBC without Differential Reticulocyte count Feline Anemia Panel (SA, CBC, FeLV, FIV, FIA) Large animal CBC (RBC, HCT, MCV, MCHC, Reticulocyte count, RDW, MPV, WBC/Differential, TP, Fbrinogen) large animal CBC without Differential Hemotropic Parasite Screen Fibrinogen	  <del>\$40.00</del> <u>10.50</u> <del>5.00</del> <u>5.25</u> <del>5.00</del> <u>5.25</u> <del>30.00</del> <u>31.50</u>  <del>40.00</del> <u>10.50</u> <del>5.00</del> <u>5.25</u> 3.00 3.00
CLINICAL PATHOLOGY (miscellaneous tests):  blood cross match Buffy coat count Coagulation per test (PT, APTT, RBR, FDP) others	  \$12.00 20.00 17.00 call ahead for prices
CLINICAL PATHOLOGY (urine evaluation):  urinalysis (chemical, specific gravity, sediment evaluation) urinalysis with culture/sensitivity	   \$10.00 <del>26.50</del> <u>28.00</u>

<p>HISTOLOGY (use SV43 form):</p> <p>1 - 3 slides (one biopsy)</p> <p>4 - 6 slides</p> <p>7 - 10 slides</p> <p>11 or greater slides</p> <p>duplicate H&amp;E slide</p> <p>immunohistochemistry</p> <p>special stains</p>	<p><del>\$24.00</del> <u>26.00</u></p> <p><del>30.00</del> <u>32.00</u></p> <p><del>36.00</del> <u>38.00</u></p> <p><del>40.00</del> <u>42.00</u></p> <p><del>8.00</del> <u>9.00</u></p> <p><del>22.00</del> <u>23.00</u></p> <p>8.00</p>
<p>MILK LABORATORY (use SV43 form):</p> <p>added water</p> <p>antibiotic (depending on class of suspected antibiotic)</p> <p>Brucella ring test</p> <p>coliform (milk and water)</p> <p>component testing</p> <p>Gerber</p> <p>Listeria culture</p> <p>Majonnier</p> <p>pesticide (organophosphate/carbamate)</p> <p>pesticide (chlorinated hydrocarbon)</p> <p>phosphatase</p> <p>somatic cell count (direct microscopy)</p> <p>somatic cell count (electronic)</p> <p>standard plate count</p> <p>yeast or mold</p> <p>laboratory certification review</p>	<p>\$3.00</p> <p>12.00 to 23.00</p> <p>2.00</p> <p>5.00</p> <p>1.00</p> <p>3.00</p> <p>32.00</p> <p>12.50</p> <p>24.00 minimum</p> <p>210.00</p> <p>6.00</p> <p>5.00</p> <p>1.00</p> <p>5.50</p> <p>5.00</p> <p>contact laboratory</p>
<p>MISCELLANEOUS TESTS (use SV43):</p> <p>bovine IgG</p> <p>equine IgG</p> <p>ocular nitrate</p> <p>duplicate test reporting</p> <p>after hour fee (pathologist)</p> <p>stat results (clinical pathology only)</p> <p>minimum laboratory fee</p> <p>referral testing</p> <p>special testing/referral</p> <p>out-of-state fee</p>	<p>\$12.00</p> <p>12.50</p> <p>12.00</p> <p>2.00</p> <p><del>up to</del> 50.00</p> <p>15.00</p> <p>6.00</p> <p>referral lab testing costs plus mailing costs and \$6.00 handling fee contact laboratory 50% surcharge of total lab costs</p>

<p>NECROPSY:</p> <p>Includes gross examination, histopathology, and routine bacterial isolation, as deemed necessary by the pathologist. Contact the laboratory for procedural instructions. Euthanasia must be performed at <u>animal</u> departure point unless recommended otherwise by pathologist.</p> <p>cattle and horses fetus</p> <p>&lt; 150 lbs. 150-500 lbs. &gt; 500 lbs.</p> <p>sheep and goats fetus</p> <p>&lt; 20 lbs. &gt; 20 lbs.</p> <p>pigs fetus/s (<u>same sow</u>)</p> <p>&lt; 25 lbs. 25-250 lbs. 250-500 lbs.</p> <p>dogs and cats other species</p> <p>carcass disposal rates small animals large animals</p> <p>wildlife insurance and legal cases research cases spinal cord removal (in addition to necropsy fees) transmissible encephalopathies necropsy brain removal IHC and ELISA testing</p>	<p><del>\$50.00</del> <u>55.00 + carcass disposal</u></p> <p><del>65.00</del> <u>72.00 + CD</u></p> <p><del>80.00</del> <u>90.00 + CD</u></p> <p><del>120.00</del> <u>130.00 + CD</u></p> <p><del>50.00</del> <u>55.00 + CD</u></p> <p><del>50.00</del> <u>55.00 + CD</u></p> <p><del>65.00</del> <u>72.00 + CD</u></p> <p><del>50.00</del> <u>55.00 + CD</u></p> <p><del>50.00</del> <u>55.00 + CD</u></p> <p><del>65.00</del> <u>72.00 + CD</u></p> <p><del>80.00</del> <u>90.00 + CD</u></p> <p><del>80.00</del> <u>90.00 + CD</u></p> <p>35.00 minimum</p> <p>25.00 to 85.00</p> <p><del>25.00 to 200.00</del> <u>20/per hundred weight</u></p> <p>contract per FWP</p> <p>contact laboratory <u>125/hour</u></p> <p>contact laboratory</p> <p>45.00 to 80.00</p> <p>(minimum) <u>125.00 +CD</u></p> <p>(minimum) 30.00</p> <p>referral costs plus shipping and handling</p>
<p>NEONATAL DIARRHEA STUDIES (kits):</p> <p>Includes histopathology and routine bacteriology with additional tests for K-99 E. coli LA, viral agents (EM), Cryptosporidium, endoparasitism, and serum immunoglobulin as history and age of calf dictates (use SV43 form)</p>	<p><del>\$65.00</del> <u>75.00</u></p>

<p>PARASITOLOGY:</p> <p>adult parasite or arthropod identification (referral) \$25.00</p> <p>cryptosporidia exam 6.00</p> <p>Dirofilaria immitis ELISA screening <del>7.00</del> 8.00</p> <p>Dirofilaria immitis ELISA confirmation <del>12.00</del> 12.50</p> <p>fecal flotation 9.00</p> <p>Giardia ELISA <del>20.00</del> 25.00</p> <p>special parasite ID procedures contact laboratory</p>	
<u>PCR TESTING</u>	<u>contact lab</u>
<p>RABIES:</p> <p>Submit entire brain or head in a refrigerated, fresh state. Do not submit live animals. Coincide specimen arrival with laboratory working schedule.</p> <p>FA examination (small animal) \$25.00</p> <p>FA examination (large animal) 50.00</p> <p>carcass disposal (does not apply to bats) <del>25.00 to 200.00</del> <u>see carcass disposal</u></p>	
<p>SEROLOGY (large animal):</p> <p>anaplasmosis cELISA <del>\$6.00</del> 7.00</p> <p>Avian Influenza AGID <u>&lt; 10</u> 5.00</p> <p><u>10 &gt; 24</u> 4.30</p> <p><u>25 &gt; 49</u> 2.50</p> <p><u>&gt; 50</u> 1.00</p> <p>Bluetongue AGID 5.00</p> <p>Bluetongue cELISA 7.50</p> <p>Bovine Leukemia Virus, ELISA 6.00</p> <p>Bovine Respiratory Syncytial Virus SN referral</p> <p>Bovine Virus Diarrhea Type I and II SN 12.00</p> <p>Bovine Virus Diarrhea ELISA 5.00</p> <p>&gt; 100 BVD samples (each sample) 4.00</p> <p>Brucella abortus, card, BAPA or FP 1.00 each</p> <p>Brucella abortus CF, Rivanol, SPT, or STT 2.00 each</p> <p>Brucella ovis ELISA, CF <del>5.00</del> 7.00</p> <p>Equine Infectious Anemia AGID (Coggins) 1-15 7.00 each</p> <p>16 &gt; 50 5.50 each</p> <p>&gt; 50 4.50 each</p> <p>Equine Infectious Anemia ELISA 12.50</p> <p>Epizootic Hemorrhagic Disease AGID 10.00</p> <p>Infectious Bovine Rhinotracheitis SN 6.00</p> <p>Johne's (Paratuberculosis) AGID 10.00</p>	

Johne's (Paratuberculosis) ELISA	<del>6.50</del> each <u>7.00</u>
Johne's ELISA CF	referral
Leptospirosis (8 routine serovars) MAT	6.50
Ovine Progressive Pneumonia/Caprine Arthritis	
Encephalitis AGID	5.00
Parainfluenza-3 HA	referral
Pseudorabies SN, LA	5.00
Salmonella pullorum MAT	4.00
Vesicular stomatitis CF	contact laboratory
Vesicular stomatitis SN (New Jersey or Indiana)	12.00
West Nile IgM ELISA	<del>7.00</del> <u>8.00</u>
SEROLOGY (small animals) (use SV43 form):	
Brucella canis Tube	<del>\$17.00</del> <u>20.00</u>
Feline Infectious Peritonitis ELISA	23.00
Feline Leukemia ELISA	<del>13.00</del> <u>14.00</u>
Feline Leukemia/Feline Immunodeficiency Virus	
LISA	<del>22.00</del> <u>23.00</u>
TOXICOLOGY:	referral to outside contracted lab
VIROLOGY (use SV43 form):	
<del>Bovine coronavirus</del>	<del>\$17.50</del>
BVD, IBR, Leptospira, EHV-1, and BRSV FA	
<u>fluorescent antibody testing</u>	<u>\$6.00 per agent</u>
Bovine Viral Diarrhea ELISA <u>0 to 99 samples</u>	5.00
> 100 samples (per sample)	4.00
Canine Parvovirus (fecal only) ELISA	20.00
electron microscopy (where applicable)	25.00
<del>fluorescent antibody testing (livestock only)</del>	<del>6.00</del>
virus isolation (livestock only)	<del>18.00</del> <u>20.00</u> per virus
OTHER TESTS REQUESTED:	call ahead for prices
MISCELLANEOUS CHARGES/SUPPLIES:	
culturette	\$3.45
duplicate test reporting	2.00
handling fee	6.00 plus shipping
<u>kits</u>	<u>mailing costs</u>
large shipper	11.50
minimum fee	6.00
out-of-state	cost of test plus 50%

(2) remains the same.

AUTH: 81-1-102, 81-2-102, MCA  
IMP: ~~81-1-301, 81-1-302~~, 81-2-102, MCA

REASON: ARM 32.2.403 is being amended to change fees that are currently charged by the Department of Livestock for diagnostic laboratory services. The fees are being increased to reflect increased costs associated with providing those services. The fees must, by statute, be set at levels commensurate with the costs of performing the tests or services listed.

Fees for each procedure and test were evaluated determining the cost of the test materials and labor for performance of the test. The fees were compared to regional government funded diagnostic laboratories and a private veterinary laboratory. The fees were adjusted to be competitive with these laboratories and to offset inflationary costs. The laboratory must continue to provide a utilized service to the Montana livestock industry in order to assure that a vital function and mission of the laboratory regarding disease surveillance is not compromised.

The increased fees charged by the department's diagnostic laboratory will potentially affect approximately 25,000 people who may use services at the laboratory. The cumulative amount of the fee increase will be \$40,000.00 based on this number of lab users.

The IMP citations are being deleted, as those statutes do not pertain to diagnostic laboratory fees and are therefore inappropriate citations.

4. Concerned persons may submit their data, views, or arguments concerning the proposed action in writing to Marc Bridges, 301 N. Roberts St., Room 308, P.O. Box 202001, Helena, MT 59620-2001, by faxing to (406) 444-1929, or by e-mailing to mbridges@mt.gov to be received no later than 5:00 p.m., June 29, 2006.

5. If persons who are directly affected by the proposed actions wish to express their data, views, and arguments orally or in writing at a public hearing, they must make a written request for a hearing and submit this request along with any written comments they have to the same address as above. The written request for hearing must be received no later than 5:00 p.m. June 29, 2006.

6. If the department receives requests for a public hearing on the proposed actions from either 10% or 25, whichever is less, of the persons who are directly affected by the proposed action; from the appropriate administrative rule review committee of the legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a public hearing will be held at a later date. Notice of the public hearing will be published in the Montana Administrative Register. Ten percent of those persons directly affected has been determined to be more than 25, based upon the population of the state.



7. An electronic copy of this proposal notice is available through the department's site at [www.mt.gov/liv](http://www.mt.gov/liv).

8. The Montana Department of Livestock maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by this department. Persons who wish to have their name added to the list shall make a written request, which includes the name and mailing address of the person to receive notices and specifies the area of interest that the person wishes to receive notices regarding. Such written request may be mailed or delivered to Marc Bridges, 301 N. Roberts St., Room 308, P.O. Box 202001, Helena, MT 59620-2001; faxed to (406) 444-1929 "attention Marc Bridges"; or e-mailed to [mbridges@mt.gov](mailto:mbridges@mt.gov). Request forms may also be completed at any rules hearing held by the department.

9. The bill sponsor notice requirements of 2-4-302, MCA, do not apply.

#### DEPARTMENT OF LIVESTOCK

BY: /s/ Marc Bridges  
Marc Bridges  
Executive Officer  
Board of Livestock  
Department of Livestock

BY: /s/ Carol Grell Morris  
Carol Grell Morris  
Rule Reviewer

Certified to the Secretary of State May 22, 2006.